

Message Text

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ACTION DLOS-09

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DOTE-00 EB-07 EPA-01 ERDA-05 FMC-01 TRSE-00 H-01
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FROM: LOS DEL

E.O. 11652: N/A

TAGS: PLOS

SUBJECT: YANKOV CONSULTATION ON MARINE SCIENTIFIC RESEARCH (MSR)

SUMMARY

YANKOV RECONVENED HIS SMALL GROUP CONSULTATIONS ON MSR. ALTHOUGH SLATED TO BE AT HEAD OF DELEGATION LEVEL, MOST DEVELOPING COUNTRIES WERE REPRESENTED BY THIRD COMMITTEE MEMBERS. THE MEETING WAS CHARACTERIZED BY DEVELOPING COUNTRY DEMANDS FOR A SIMPLE CONSENT REGIME WHICH WAS ACTIVELY SUPPORTED BY THE USSR. AUSTRALIA OFFERED SOME AMENDMENTS TO THE RSNT WHICH THE US AND OTHERS VIEWED AS CONSTRUCTIVE. NO SERIOUS NEGOTIATIONS OCCURRED AND AT THE CONCLUSION OF THE MEETING YANKOV STATED THAT THERE WOULD BE NO SIMILAR MEETINGS TO FURTHER DISCUSS MSR. END SUMMARY.

1. YANKOV IN OPENING THE MEETING WENT TO SOME LENGTHS TO
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FAIRLY PRESENT THE ISSUES AND, UNLIKE HIS PRIOR EFFORT, DID NOT SEEK TO HAVE HIS TEST PROPOSAL SERVE AS THE BASIS FOR FURTHER NEGOTIATIONS. HE INVITED DELEGATIONS TO USE ANY DOCUMENT THEY CHOSE IN MAKING THEIR INTERVENTIONS. IRAQ, SPEAKING ON BEHALF OF THE G-77, ACCUSED THE RESEARCHING STATES OF INTRANSIGENCE AND SAID IF THIS PERSISTED THE G-77 WOULD INSIST ON A TOTAL CONSENT

REGIME. TANZANIA FOLLOWED INDICATING THAT THE G-77 HAD REAFFIRMED THEIR SUPPORT FOR L.13 - THE CARACAS PROPOSAL OF THE G-77 SPECIFYING A SIMPLE CONSENT REGIME. BRAZIL ENDORSED THE TEST PROPOSAL BUT AMENDED IT BY ADDING TO THE LIST OF RESEARCH ACTIVITIES FOR WHICH CONSENT COULD BE WITHHELD A) INTERFERENCES WITH ECONOMIC ACTIVITIES AND B) NOT FOR PEACEFUL PURPOSES. IN WHAT WAS SELF-CHARACTERIZED AS A GIANT STEP FORWARD, BRAZIL INDICATED IT COULD ACCEPT TACIT CONSENT AND THE USSR PROPOSAL ON DISPUTE SETTLEMENT.

2. PORTUGAL SPOKE IN FAVOR OF THE EED TO PROMOTE MSR AND REINTRODUCED ITS PROPOSAL THAT AN INTERNATIONALLY ORGANIZED RESEARCH PROJECT SHOULD NOT REQUIRE COASTAL STATE CONSENT. THE NETHERLANDS REGRETTED THE RETROGRESSION INDICATED BY THE IRAQI AND TANZANIAN INTERVENTIONS AND STRESSED ALL THE SAFEGUARDS FOR COASTAL STATES WHICH HAD BEEN INCORPORATED INTO THE RSNT. THE FRG STATED THAT ACCEPTANCE OF MORE THAN PARA 2 OF ARTICLE 60 WAS DEPENDENT ON ACCEPTANCE OF DISPUTE SETTLEMENT ON THE ISSUE OF WHETHER RESEARCH FELL INTO THE DISCRETIONARY CONSENT CATEGORIES. AUSTRALIA INTERVENED TO SUGGEST MOVING SUBPARA (B) OF ARTICLE 64 AND PARA 2 OF ARTICLE 65 INTO ARTICLE 60(2) AS ADDITIONAL RESEARCH ACTIVITIES SUBJECT TO DISCRETIONARY CONSENT. INDIA OBJECTED TO THE PORTUGUESE PROPOSAL AND COMMENDED LIMITED OFFICIAL USE

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THE USSR PROPOSAL.

3. IRAQ, THIS TIME SPEAKING ON BEHALF OF THE ARAB GROUP, SUGGESTED SIX MONTHS VICE FOUR MONTHS IN ARTICLE 58, THE YANKOV TEST PROPOSAL FOR ARTICLE 60 AMENDED AS SUGGESTED BY BRAZIL SPECIFICALLY ADDING PEACEFUL PURPOSES AND A CORRESPONDING AMENDMENT IN ARTICLE 65, AND AMEND ARTICLE 76 AND 77 AS SUGGESTED BY THE USSR. THE NETHERLANDS AND US LABELED THE AUSTRALIAN PROPOSAL AS CONSTRUCTIVE SUGGESTIONS WORTHY OF FURTHER CONSIDERATION. JAPAN AFTER A LENGTHY EXPOSITION IN FAVOR OF MSR ENDORSED ARTICLE 60 OF THE RSNT. INDIA AGAIN INTERVENED THIS TIME TO ENDORSE THE TEST PROPOSAL. TANZANIA REJECTED THE AUSTRALIAN SUGGESTION AND REITERATED ITS OPPOSITION TO TACIT CONSENT. THE USSR IN A LENGTHY INTERVENTION SAID THAT MSR INVOLVED POLITICAL, ECONOMIC AND SECURITY INTERESTS WHICH COULD BEST BE MET BY A SIMPLE CONSENT REGIME, AND CONCLUDED BY STATING THAT IT IS IMPOSSIBLE TO DISTINGUISH BETWEEN CATEGORIES OF RESEARCH. FRANCE SAID IT WAS UNDERSTANDABLE WHY A SOCIALIST COUNTRY LIKE THE USSR HAD DIFFICULTY IN MAKING A DISTINCTION SINCE APPLIED AND BASIC RESEARCH WERE FUNDED BY THE STATE WHEREAS

IN FREE-MARKET COUNTRIES PRIVATE COMPANIES DID APPLIED
WHILE THE STATE FUNDED BASIC RESEARCH. PAKISTAN, KENYA
AND YUGOSLAVIA ENDORSED THE G-77 POSITION OF SIMPLE
CONSENT.

LEONARD

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Message Attributes

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